

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: McGurk v. Misiura, et al :  
Inmate: Mark Allen McGurk : Civil Action No. 3:18-CV-00431  
ID: JP-7593 : (JUDGE MANNION)  
APR 18 2018

Per [Signature] ORDER  
DEPUTY CLERK

On February 23, 2018, the above-captioned civil rights action was transferred from United States District Court for the Eastern District of Pennsylvania to the United States District Court for the Middle District of Pennsylvania. (Doc. 4).

Following review, this action was received without the **proper** application to proceed *in forma pauperis* or an Authorization form.

Accordingly, an Administrative Order issued in this case which informed the plaintiff that this action would not proceed unless the Plaintiff, within thirty (30) days of the date of the Administrative Order, either: (1) tendered to the "Clerk, U.S. District Court" payment in the amount of \$400.00, which represented a statutory filing fee in the amount of \$350.00 and a \$50.00 Administrative Fee<sup>1</sup>; or (2) filed a properly completed and signed application to *proceed in forma pauperis* and an authorization form. An application to proceed *in forma pauperis* and an authorization form were enclosed. Plaintiff was advised that failure to comply with the terms of the Administrative Order within thirty (30) days would cause this case to be dismissed without prejudice. (Doc.6).


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1. As of May 1, 2013, plaintiffs who submit the \$350.00 statutory filing fee in full will also be assessed a \$50.00 administrative fee. The \$50.00 filing fee does not apply to persons granted *in forma pauperis* status under 28 U.S.C. §1915. Therefore, if an *in forma pauperis* status is granted, the plaintiff will be responsible to pay \$350.00. However, if an *in forma pauperis* status is denied, the plaintiff will be required to pay \$400.00.

On April 4, 2018, the plaintiff submitted the proper application to proceed *in forma pauperis*; however, he failed to submit the authorization form. (Doc. 8).

More than thirty (30) days have elapsed and the Plaintiff has neither made an appropriate submission, nor has he requested an additional extension of time in which to pay the filing fee or to submit the appropriate financial forms.

**THEREFORE, IT IS ORDERED THAT** this action is dismissed without prejudice, and the Clerk of Court shall close this file.



**MALACHY E. MANNION**  
United States District Judge

**DATE:** April 18, 2018